

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
	:	
UNITED STATES OF AMERICA	:	
	:	
v.	:	No. 12 Cr. 121 (RJS)
	:	
TODD NEWMAN and	:	
ANTHONY CHIASSON,	:	
Defendants.	:	<b><u>NOTICE OF MOTION</u></b>
	:	
	:	
-----	X	

**PLEASE TAKE NOTICE THAT**, upon the accompanying Memorandum of Law, dated October 3, 2012, defendant Anthony Chiasson, by and through his counsel, shall move this Court *in limine*, before the Honorable Richard J. Sullivan, United States District Judge for the Southern District of New York, at the United States Courthouse, 500 Pearl Street, New York, New York, on October 23, 2012 or as soon thereafter as may be determined by the Court, for an Order directing the Government to strike allegations regarding erroneously calculated profits from the superseding indictment, excluding references before the jury to such erroneously calculated profits, and requiring the Government to make an offer of proof regarding alleged profits, and for such other relief as the Court deems just and proper.

Dated: October 3, 2012

Respectfully submitted,

STEPTOE & JOHNSON LLP

/s/ Reid H. Weingarten  
Reid H. Weingarten  
Erik L. Kitchen  
1330 Connecticut Avenue, N.W.  
Washington, D.C. 20036-1795  
(202) 429-3000

Michelle L. Levin  
1114 Avenue of the Americas  
New York, NY 10036  
(212) 506-3900

MORVILLO LLP

/s/ Gregory Morvillo  
Gregory Morvillo  
One World Financial Center  
200 Liberty Street, 27th Floor  
New York, NY 10017  
(212) 379-2081

*Attorneys for Anthony Chiasson*